

Appl. No. 09/942,459
Request for Reconsideration of April 23, 2004
Reply to the Advisory Action of February 26, 2004

REMARKS/ARGUMENTS

This Request for Reconsideration is submitted in response to the Advisory Action mailed on February 26, 2004. Claims 1, 3-4, 6-9, 11-12, 14-15, 17-20, 22-23, 25-26, and 28-31 remain pending and under final rejection. Minor editorial amendments to the claims have been proposed for entry in the previous response of January 21, 2004. Since these amendments have not yet been entered, they are reproduced above. Entry of the previously submitted amendment after final, reconsideration, and allowance of all pending claims are respectfully requested.

Prior Art Rejections

Claims 1, 4, 12, 15, 23, and 26 stand finally rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 4,801,206 issued to Benoist (hereinafter "Benoist"). The arguments made in the office action response of January 21, 2004 are reiterated. To summarize them here, Benoist discloses a control loop for regulating a mechanical dithering vibration applied to a gyroscope. Control of the mechanical dithering in Benoist is based on a measurement of the amplitude of the mechanical oscillations. By contrast, the claims recite a type of control loop where the output frequency of a laser is controlled based on a laser output frequency. The control signal is generated based on the sum of an error signal and a dithering signal. The Benoist reference is thus completely different from the invention recited by independent claims 1, 12, and 23 and is inapplicable as prior art.

Claims 4, 15, and 26 are allowable due to their dependence from allowable claims 1, 12, and 23, respectively. Furthermore, the Benoist reference does not disclose a fiber Bragg grating as recited by these dependent claims. The component 50 of Fig. 2 in Benoist, identified in the rejection as being equivalent to the recited fiber Bragg grating is in fact noted at the bottom of column 8 to be a photodetector.

Claims 2, 3, 6-10, 14, 17-21, 25, and 28-32 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Benoist in view of U.S. Patent No. 6,353,623 issued to Munks, et al.

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(hereinafter "Munks"). The arguments of the previous response are reiterated. Neither the Benoist nor Munks references disclose or suggest laser output frequency measurement and control as required by independent claims 6, 17, and 28. Claims 6, 17, and 28 are thus allowable over the art of record.

Claims 9, 20, and 31 are allowable for at least the reason of their dependence from their allowable parent claims. Furthermore, these dependent claims recite the use of a fiber Bragg grating which as explained above is not found in Benoist. Claims 9, 20, and 31 are therefore also allowable on their own merits.

Claims 7, 18, and 29 are allowable for at least the reason of their dependence from claims 6, 17, and 28. Claims 3, 8, 14, 19, 25, and 30 are allowable for at least the reason of their dependence from allowable claims 1, 6-7, 12, 17-18, 23, and 28 respectively.

Claims 11, 22, and 33 stand finally rejected under 35 U.S.C. § 103(a) as being unpatentable over Benoist in view of Munks and further in view of U.S. Patent No. 5,262,843 issued to Sugarbaker, et al. (hereinafter "Sugarbaker"). Claims 11, 22, and 33 are dependent from claims 6, 17, and 28 respectively. Accordingly, claims 11, 22, and 33 incorporate limitations sufficient to overcome Benoist and Munks. Furthermore, the rejection does not point to any disclosure in Sugarbaker that would remedy the deficiencies of Benoist and Munks. Claims 11, 22, and 33 are also allowable over the art of record.

The Advisory Action of February 26, 2004

The Advisory Action of February 26, 2004 mentions five references as being potentially relevant prior art. These references have not been used as the basis for any rejection and not believed by the undersigned to be relevant to the patentability of the pending claims. It is requested that these references be made of record to note that they have been considered.

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Conclusion

It is respectfully requested that the present application be allowed. If a telephone conference would expedite the handling of this application, please contact the undersigned at (408) 446-8694.

Respectfully submitted,



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